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G. BAILEY, Washington, D. C.

ply to the jurisdiction. He said that Dred Scott was a negro, that his ancestors came from Africa, that they were slaves, and therefore he was not a citizen of the United States, and he had no right to a trial in that court. Dred Scott demurred to that plea, and that the demurrer came up before the court, and it was the only question they could decide. After getting the plaintiff out of court, he said he has no standing here, after murdering him, the court go on to decide principles most fatal to the liberties and rights of many of the American people. The likes were never there in any court. No court in this Union has been heretofore more charged of giving decisions that were not called for.

always repudiated it. They would never go further than the necessities of the case required them to go. Was not the location of the question of jurisdiction an end of this case? A majority of the judges decided that Dred Scott had no right to be in the court. They dismissed him from their consideration. What further was there to do? The Senator from Louisiana, in his argument, did not pretend, as a lawyer, to argue that this was not the effect of the decision; but he asserted that it was very much like sympathy, as read from the opinions of the court, claiming that he had a right to care what I do not care what they claimed. Any man that ever went through a lawyer's office knows that when they decided a case the clerk left him no room for argument.

should give after that was a *vere obitum*, entitled to no more respect than though it had been delivered here or in the streets.

Mr. President, there is another thing to be considered in reference to that case. Here, to be sure, was a poor negro, having no friends, no consideration, nobody to look out for him. He was a member of a degraded class, with whom the court might deal with perfect impunity. I fear that the court, swayed by political reasons, forgot the rights of Dred Scott, and plunged into this political whorlpool, in order to control its currents. Is it not remarkable that America, the first nation in the world, should decide that a man may be so low that he cannot even seek his rights in the courts of the

barbarous? The court tells us we have men among us so low that they can have no rights; that they are mere merchandises. But I will not travel into that field, which has already been discussed by the Senator from New Hampshire, [Mr. HALE.] They grounded their decision upon history, and the history was palpably perverted, as was proved by the Senator from New Hampshire, so palpably that no gentleman on the other side has yet risen to challenge its accuracy; and I may say that we have a law of Virginia here in my drawer,

Supreme Court speak when they say that negroes were considered as property. A man might seize and convert to his own use. At that very instant, in old Virginia, he was a citizen, made in the image of God; and I do not know but that he had all the rights of a white man. At all events, he was declared there to be a citizen. He was then a citizen in at least eight of the States of this Union.

Mr. MASON. Will the Senator advert to that statute, and give me its title? I will not interrupt him now, though.

Mr. WADE. I will show it to the gentleman.

Mr. MASON. I will not interrupt the gentleman now.

Mr. WADE. I have it here, though I may

at this moment. In eight States of the Union, a man was a black man; in five, a white man; that he was entitled to all the rights of a white man; for at that period you will find, if you search the history of the country, that a distinction between black and white was not made between slave and free. That was the question. Up to the time alluded to by the Chief Justice, I can find nothing but distinction between the color of men. The only question was, whether a man was a freeman. If he was, he was entitled to all the rights of a freeman; if he was not, he was a slave. The Chief Justice says that all of them were so held. Good heavens! Had he not heard of the soothing anathemas of the Pope, the Archbishop, and of other great lights of the Catholic Church, in the year 1860, in relation to

in language more pointed than any other men could use. When we read that Thomas Jefferson said he trembled for his country, we are reflected that God was just, and that his vengeance would not sleep forever? Yet the Chief Justice says it was not contumacious, merely disrespectful. It was contumacious by every man in the Revolution. They, seeking their own rights at the cannon's mouth, claiming for themselves the utmost freedom, and the privilege of God to help them to work it out, had not the impudence to look to Heaven, and ask a blessing on their execution. They were the very men they denied to their fellow men. No such reproach, Judge Taney, can be brought on the heads of the great worthies of the Revolution. The language of Southey is

so completely manqué, tried to escape from the rugged inconsistencies of this nefarious decision, by passing a eulogy upon the king. It was beautiful; it relieved him from the burden of encountering the enormous, glaring unconstitutionality and branches of law named after him. Why, sir, he would have been the old man to Heaven even before he died. I do not think that decision will help him on his road. He could just as easily be a popular opinion, turned away from the poor man who has sought the administration of law in his behalf, and says to him, "you are a negro, and you cannot sue in court if you are a negro." We cannot investigate them; you are a mere chatel<sup>1</sup>." Sir, if that helps a man to heaven, God

There is another consideration connected with this decision. I have not time, and I have not made it a point, to go into all its enormities. There are only one or two points which I wish to bring before the Senate. So far as I have heard them, those who yield to the decision of the Supreme Court are not aware that it is obligatory on everybody, and that the Senate of the United States, like poor Dred Scott, are harled and thrown out of court; that the President of the United States, and all the members of Congress, and every department of the Government, are ignored, and no better off than poor Dred Scott, and that the doctrine is a more dangerous than could be admitted in a free country—that these judges, holding their

any department of this Government, and that I should have no right to interfere with any department of this Government. Sir, you would have the most concentrated, irresponsible despotism on God's earth, if you give such an interpretation to the clause of the Constitution of the United States as to give to any other court. No, sir; each department must act for itself. I stand here, clothed with the same power, to proclaim what is the Constitution upon the passage of any law, as I do before us, as that or any other court. I follow my own interpretation of the Constitution; I am bound to do so; I have sworn that I will, and I beg of the Senate to beware of this arbitrary doctrine that the Supreme Court can bind the other departments of the Government; that we must play to the tune that they make. No, sir; never. They may decide on

to fall within their grasp. They have decided that Dred Scott cannot sue in Federal Court. Right or wrong, constitutional or unconstitutional, that stands. It is the highest court; it has decided in the last resort. Dred Scott's rights have been determined, and determined forever; but no other department of the Government, no other right, was touched. Talk about their deciding that Slavery exists in Kansas as much as in South Carolina. Talk

[SEE FOURTH PAGE.]







New Hampshire gave the following:

Haling, 36,000 Cans, 15,001 scattering vessels,  
21,179, imported from one half year,  
21,179 increase of Canals, 15,001 S. B.

The State Council is unanimously approving  
In the Senate, 2 Republicans and 8 Demo-  
crats are elected; 10 Democrats and 10 Republi-  
cans will constitute the House of Representatives,  
will consist of 10 Republicans and 10 Democra-  
tics—Republican majority, 17. Last  
year the Republican majority was 66.

Venezuelan Newsletters

New York Black Prince arrived from  
Venezuela report that the Government troops  
had been taken in several actions. Many  
insurgents had defected. The English and  
French Ministers had sent their forces to the  
scene of action.

Dr Domingo advised of the 15th day that  
there will be the capital.

Mr. Howard J. Clark, a young gentleman of  
considerable literary attainments and promise,  
resided at the residence of his father-in-law, re-  
siding in "Zoukora, N. Y." On Thursday evening,  
from the effects of an over-dose of strychnine which  
he had been in taking for some time, he minis-  
trated a quantity of poison. His wife's relation  
to moral affairs have attracted considerable  
notice. Thomas L. Hyde, another young man  
of some literary pretensions and considerable  
writer, committed suicide in St. Louis last Sat-  
urday, by taking arsenic.

The Portland Advertiser learns that the ac-  
tion, John B. Gough vs. Dr. Lees, of Scotland,  
is or to form a precedent, but only threatened.  
The proceeding, if entered upon, is to be by in-  
dictment. In such case, by English law, it is  
understood the truth cannot be given in evi-  
dence. Dr. Lees has no doubt been guilty of  
Gough with excessive use of opium and sitting too  
long places; and offers to prove what he charges  
before twelve persons who will receive the testi-

South has made  
sion, but it was solely  
or native population  
industry. The North  
is accidental advan-  
age was true issue  
Leocompton boldly  
banter.

A Punctilious correspondent of the London  
Times says it is not an open question whether  
any more *hominid* wine will ever be produced.  
None has been made since the grape was first  
now only some 7,000 or 8,000 vines upon the  
entire island. All recent attempts to manufac-  
ture the wine have utterly failed, and pumpkin  
vines now adorn the old vineyard, the vines  
covered with abundant clusters of rich grapes.  
*Per contra*, it is said, on the best authority,  
that instead of seven or eight thousand, there  
are not more than three thousand vines upon  
the island. *THE LANCET*.

The regular troops in Kansas and on the  
Western frontier will start for Utah between the  
20th of April and 10th of May, mustering in  
at about 5,000 effective men. Fifty regiments  
of volunteers, proposed by the President to the  
Senate, will, it is stated, be accepted and  
organized whenever the bill is passed. No force  
less than a whole regiment will be received  
from any State, but either as a regular force,  
directly or contingently, which cover the whole  
force authorized. They will be taken accord-  
ing to the date of application. One regiment  
is especially appropriated for Texas. *ATLANTA*.

*A Cure for Influenza.*—This new, treacherous  
malady can be cured in two or three days, by  
using half a bottle of Dr. Williams' Balsam of  
Wild Cherry. All irritation of the throat and  
bronchial tubes subside at once, under the  
direct influence of this Balsam. 52

Nobody could hold  
 the neck and assent  
 of the Slavery propa-  
 gandists. We said the  
 nation of their Terri-  
 torial rights, of the  
 of, legislation, and  
 Constitution. Their  
 and upon them by  
 and since been retain-  
 ing, obtained the  
 se vote, and at five  
 the House adjourned.

**REBE'S PROTEST.**  
 A. March 18, 1853.  
 Annual Year.

say a word or two in  
 named and Johnson,  
 Congress have insult-  
 ed? It has become a  
 States, that Slavery  
 "South" has hereto-  
 for "pink" now openly  
 regarding and absolute

now than another  
 you boasts, it is that  
 from obscurity to be  
 come to the conclu-  
 sion humility to honor  
 through it? He has  
 into disrepute the  
 matched, and the shell  
 My God! if there is  
 a publican Government  
 my return it is the

We are glad to learn that Perry Davis's  
 Vegetable Pain Killer is having so large a sale  
 in our city. We have every reason to believe  
 it to be an almost never-failing cure for pain,  
 and as such it is a most valuable family should  
 be without.—*Montreal Pilot.*  
 Sold by Druggists and Medicine Dealers gen-  
 erally.

**Coughs, Bronchitis.**—The entire freedom  
 from all deleterious ingredients and opiates,  
 renders *Brown's Bronchitis, Throat,* or  
 Cough and Voice Lozenges, a safe remedy  
 for the most delicate female or youngest child,  
 and has caused them to be held in the highest  
 esteem by Clergymen, Singers, and Public  
 Speakers, generally.  
 Sold by all Druggists in the United States.

**WISTAR'S BALSAM OF WILD CHERRY**  
 Cures Bronchial Affections and all Diseases of  
 the Lungs.

From the *Eastern Traveller, Trenton, Jan. 5.*  
 "It is, perhaps, but a simple act of justice to the pro-  
 prietors of *Wistar's Balsam of Wild Cherry* for us to say,  
 that our personal acquaintance with the use of this article has  
 impressed us favorably. One of the proprietors of the  
*Trenton* was entirely cured of a severe cough of four  
 months continuance, by the use of this Balsam, and sev-  
 eral of our friends and acquaintances who have used the  
 article, have found it of great service in relieving them of  
 severe coughs and shortness of breathing; with  
 which they had been afflicted."  
 Sold by Agents everywhere. *Wistar, Trenton, Pa.*  
 Beware of cheap imitations, unless signed **1. BUTTS** on the  
 wrapper.

**DR. AYER'S MEDICINE.**  
 We invite our readers to the perusal of Dr. Ayer's  
 advertisements which appear in the columns of our paper.  
 They describe accurately and scientifically the nature of  
 the various diseases which they are adapted to cure, and  
 we all, and from a source which all have long respected.

[illegible][illegible]



